



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/072,177

Examiner: L. DiNola Baron

Filed: February 11, 2002

Art Unit: 1615

In re Application of: Robert E. Fischell *et al.*

Docket No.: S1-02

For: **Devices And Methods For Reducing Scar Tissue Formation**

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(I)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop FBE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 1, 2004

By: Robert E. Fischell

Sir or Madam:

Please place on the record the following amendment to the specification to the above captioned application. Filed herewith is a "Petition To Accept An Unintentionally Delayed Claim, Under 35 U.S.C. 120, For The Benefit Of A Prior Filed Application" as provided by 37 C.F.R. § 1.78.

On page two of this communication please find the benefit of priority statement with instructions for entry in accordance with 37 C.F.R. § 1.121.